Goodwill U: School Name Change & Trademark Law

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Thousands of colleges, universities, and graduate schools have changed names at least once since they were founded, and some have changed names many times. Schools are renamed for a variety of reasons: the new name might acknowledge a major benefactor, reflect a change in the school’s status or affiliation, or serve as one component of a comprehensive rebranding initiative. Yet when an existing institution offers educational services under a new and different name, its actions beget a host of trademark issues, some of which cannot be adequately understood by analogy to traditional brand and product name changes. School name changes can confuse or deceive consumers and infringe or dilute competitor schools’ marks. Adopting a new name often necessitates that a school abandon a prior name that has acquired extensive goodwill, to the detriment of past, current, and future students. Renaming may deeply harm alumni, who serve as not only their alma maters' consumers but, arguably, as “products” that bear the schools' marks. This essay identifies and explores the intellectual property issues that university renaming raises and the trademark ramifications for schools, their students and alumni, their competitors, and the general consuming public.